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8 Attorneys for DEFENDANT ERNST & YOUNG
LLP

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

6 JOSEPH LANDON, individually and
on behalf of all others similarly
situated,

Case No. 2:08-cv-00889-GEB-DAD

**STIPULATION AND [PROPOSED]
ORDER TO TRANSFER ACTION
TO NORTHERN DISTRICT OF
CALIFORNIA**

Plaintiffs,

V.

9 ERNST & YOUNG LLP, a limited
0 liability partnership; ERNST &
1 YOUNG U.S. LLP, a limited liability
partnership; and DOES 1-100,
inclusive.

Defendants.

1 Plaintiff Joseph Landon (“Plaintiff”) and Defendants Ernst & Young LLP and
2 Ernst & Young U.S. LLP (“Defendants”), by and through their respective counsel,
3 hereby agree and stipulate as follows:

4 **WHEREAS**, *Ho v. Ernst & Young LLP*, Case No. CV 05-04867 (“The *Ho*
5 Action”) was filed on September 27, 2005 in Santa Clara County Superior Court and
6 was removed to the United States District Court for the Northern District of California
7 on November 29, 2005;

8 **WHEREAS**, the instant action was filed in Placer County Superior Court on
9 February 21, 2008 and was removed to this Court on April 25, 2008;

10 **WHEREAS**, on May 5, 2008, Defendants filed a Motion to Transfer this action
11 to the Northern District on the grounds that it involves substantially similar claims and
12 putative classes to those alleged in the *Ho* Action, and therefore transfer would promote
13 the interests of justice and convenience to the parties and witnesses;

14 **WHEREAS**, Plaintiff does not oppose the Motion to Transfer;

1 **THE PARTIES HEREBY STIPULATE** that this action should be transferred to
2 the Northern District and respectfully request an order to that effect.

3 Dated: 06/03/08

4 LAW OFFICE OF STEVEN ELSTER

5 By Steven Elster

6 Steven Elster
7 Attorneys for Plaintiff Joseph Landon

8 Dated: 6.3.08

9 AKIN GUMP STRAUSS HAUER &
10 FELD LLP

11 By Anastasia M. Boles

12 Anastasia M. Boles
13 Attorneys for Defendant Ernst & YOUNG LLP
14 and Ernst & Young U.S. LLP

15 **IT IS SO ORDERED.**

16 Dated: _____

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Judge Garland E. Burrell

1 PROOF OF SERVICE
2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and
4 not a party to the within action; my business address is: 2029 Century Park East, Suite 2400, Los
5 Angeles, CA 90067. On June 3, 2008, I served the foregoing document(s) described as:
6 **STIPULATION AND [PROPOSED] ORDER TO TRANSFER ACTION TO**
7 **NORTHERN DISTRICT OF CALIFORNIA** on the interested party(ies) below, using the
8 following means:

9 Steven Elster, Esq.
10 Law Offices of Steven Elster
11 785/E2 Oak Grove Road #201
12 Concord, CA 94518-3617
13 925.945.1276 (fax)

14 BY UNITED STATES MAIL I enclosed the documents in a sealed envelope or package addressed to the
15 respective address(es) of the party(ies) stated above and placed the envelope(s) for collection and
16 mailing, following our ordinary business practices. I am readily familiar with the firm's practice of
17 collection and processing correspondence for mailing. On the same day that correspondence is placed
18 for collection and mailing, it is deposited in the ordinary course of business with the United States
19 Postal Service, in a sealed envelope with postage fully prepaid at Los Angeles, California.

20 Wayne S. Kreger, Esq.
21 William A. Baird, Esq.
22 Milstein, Adelman & Kreger, LLP
23 2800 Donald Douglas Loop North
24 Santa Monica, CA 90405
25 310.396.9635 (fax)

26 BY ELECTRONIC MAIL OR ELECTRONIC TRANSMISSION. Based on a court order or an agreement of the parties
27 to accept service by e-mail or electronic transmission, I caused the document(s) to be sent to the
28 respective e-mail address(es) of the party(ies) as stated above. I did not receive, within a reasonable
time after the transmission, any electronic message or other indication that the transmission was
unsuccessful.

29 I declare that I am employed in the office of a member of the bar of this court at whose
30 direction the service was made.

31 Executed on June 3, 2008 at Los Angeles, California.

32
33
34 Tracy Howe
35 [Print Name of Person Executing Proof]

36 [Signature]